

CALL TO ORDER **I.** Alderman Dorsan, as Acting-Chair, called the regular meeting of the Plan Commission of October 09, 2003, to order at 7:09 p.m. in the Council Chambers of Franklin City Hall, 9229 W. Loomis Road, Franklin, Wisconsin.

Also present were Commissioners Knueppel, Skowronski, Ritter & Ziegenhagen. Mayor Klimetz & Commissioner Bennett were excused. Planning Manager Mary Kay Buratto and Assistant City Engineer Ron Romeis were also present.

MINUTES **II.**

September 18, 2003 **A.** Commissioner Ritter moved and Commissioner Knueppel seconded a motion to approve the minutes of the regular meeting of the Plan Commission held on September 18, 2003, as amended on page 3. Motion carried 3-0, with one abstention: Commissioner Ziegenhagen abstained because he was not present at the September 18th meeting.

PUBLIC HEARINGS **III.**

AMENDMENT TO SPECIAL USE **A.** Alderman Dorsan opened the public hearing on the petition of Manchester Oaks to allow an amendment to a special use on the property at 6801 Parkedge Circle, zoned R-8 Multiple-Family Residence District, at 7:22 p.m. Planning Manager Buratto read the Public Hearing notice into the minutes. Three citizen spoke to the request, one objected to the basketball court. Acting Chairman Dorsan questioned if the public hearing could be held given that no mention of the basketball court was in the public hearing notice. City Attorney Wesolowski was asked to render a verbal opinion on the matter. After some discussion, Commissioners concluded that given that no lights were proposed for the basketball court, and because the apartment complex currently had portable hoops in use, they would take action at this meeting. No one else coming forward, the Public Hearing was called to a close at 7:25 pm.

BUSINESS **IV.**

AMENDMENT TO SPECIAL USE **A.** Applicant having requested action to be taken at the same meeting as the Public Hearing, Commissioner Skowronski moved and Commissioner Knueppel seconded a motion to suspend the rules and take action. Upon voice vote, Commissioners Knueppel, Skowronski & Ritter voted 'aye'; Commissioner Ziegenhagen voted 'no'. Motion carried 3-1.

Commissioner Skowronski moved and Commissioner Knueppel seconded a motion to recommend approval of the special use amendment to Common Council subject to meeting all conditions as outlined by the Plan Commission in the presented resolution and contingent on approval of said resolution as to form by the City Attorney. After voice vote Acting-Chair Dorsan announced the item carried 3-1 and requested a roll call vote. Upon roll call vote, Commissioners Knueppel, Skowronski & Ritter voted 'aye'. Commissioner Ziegenhagen voted 'no'. Acting-Chair Dorsan announced Chair did not vote. Commissioner Ritter noted that recommendations had to have 4 votes. Acting-Chair Dorsan voted 'no', and announced the motion carried 3-2. Because Plan Commission rules require 4 'aye' votes to send a recommendation to Common Council the request will be sent without recommendation.

After City Attorney Wesolowski was able to attend the meeting and state that the issue regarding the public hearing notice was subjective, and that if perfection were desired, the public hearing should be re-noticed for a different date and time, Acting-Chair Dorsan stated that since his only concern had been the adequacy of the Public Hearing Notice and City Attorney Wesolowski considered it at worst a grey area, that he would reconsider his vote. Acting-Chair Dorsan then moved and Commissioner Ritter seconded a motion to reconsider the matter. Upon voice vote, all voted 'aye'. Motion carried unanimously.

Commissioner Skowronski moved and Commissioner Knueppel seconded a motion to recommend approval of the PDD amendment for Manchester Oaks to Common Council subject to meeting all conditions as outlined by the Plan Commission in the presented resolution and contingent on approval of said resolution as to form by the City Attorney. Upon voice vote, Alderman Dorsan & Commissioners Knueppel, Skowronski & Ritter voted 'aye'; Commissioner Ziegenhagen voted 'no'. The Chair announced the motion carried 4 – 1.

- 4-PARCEL CSM**
Towne Realty, Inc.
- B. Commissioner Skowronski moved and Commissioner Ritter seconded a motion to recommend approval of the 4-parcel CSM for Towne Realty, Inc., to Common Council subject to meeting all conditions as outlined by the Plan Commission in the presented resolution and contingent on approval of said resolution as to form by the City Attorney. Upon voice vote, all voted 'aye'. Motion carried.
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- LAND COMBINATION**
Marie Claus
- C. Commissioner Skowronski moved and Commissioner Ritter seconded a motion to recommend approval of a 2-parcel land combination for Marie Claus at 11204 W Swiss Street to Common Council subject to meeting all conditions as outlined by the Plan Commission in the presented resolution and contingent on approval of said resolution as to form by the City Attorney. Upon voice vote, all voted 'aye'. Motion carried.
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- 1-PARCEL CSM**
Franklin Ventures LLC
- D. Commissioner Knueppel moved and Commissioner Skowronski seconded a motion to recommend approval of the CSM for Franklin Ventures LLC, Monticello Gardens Condominiums on W. Forest Home Avenue to Common Council subject to meeting all conditions as outlined by the Plan Commission in the presented resolution and contingent on approval of said resolution as to form by the City Attorney, and further subject to receipt and acceptance by the Plan Manager of a revised CSM showing the portion extending into the City of Muskego as Outlot 1 and upon approval of the plan by the City of Muskego. Upon voice vote, all vote 'aye'. Motion carried.
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- CONDOMINIUM PLAT**
Franklin Ventures LLC
- E. Commissioner Ritter moved and Commissioner Ziegenhagen seconded a motion to recommend approval of a condominium plat for Franklin Ventures LLC, Monticello Gardens Villas Condominiums, for Lots 2 & 3 of CSM #_____, to Common Council subject to meeting all conditions as outlined by the Plan Commission in the presented resolution and contingent on approval of said resolution as to form by the City Attorney, and further subject to approval of the CSM. Upon voice vote, all voted 'aye'. Motion carried.
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- CONDOMINIUM PLAT**
Franklin Ventures LLC
- F. Commissioner Knueppel moved and Commissioner Ritter seconded a motion to recommend approval of a condominium plat for Franklin Ventures LLC, Monticello Gardens Condominiums, Lot 1 of CSM #_____ to Common Council subject to meeting all conditions as outlined by the Plan Commission in the presented resolution and contingent on approval of said resolution as to form by the City Attorney, and further subject to approval of the CSM. Upon voice vote, all voted 'aye'. Motion carried.
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- FINAL PLAT**
Devo Properties LLC
- G. Commissioner Skowronski moved and Commissioner Ritter seconded a motion to recommend approval of a final plat for Devo Properties LLC, for Woodlands of Franklin Subdivision, an 89-lot development zoned R-5 Suburban Single-Family Residence District to Common Council subject to meeting all conditions as outlined by the Plan Commission in the presented resolution and contingent on approval of said resolution as to form by the City Attorney. Upon voice vote, Commissioners Knueppel, Skowronski, Ritter and Ziegenhagen voted 'aye'. Alderman Dorsan voted 'no'. Motion carried 4-1.
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- MINOR PDD AMENDMENT (PDD #26)** Icon Development
Woodlake Village Condominiums
- H. Commissioner Ritter moved and Commissioner Ziegenhagen seconded a motion to recommend approval of the minor Planned Development District Amendment for PDD #26, requested by ICON Development, for Woodlake Village Condominiums, to made changes to architectural drawings and the Condo Plat to Common Council subject to meeting all conditions as outlined by the Plan Commission in the presented resolution and contingent on approval of said resolution as to form by the City Attorney. Upon voice vote, all voted 'aye'. Motion carried.
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- MINOR PDD AMENDMENT (PDD #10)**
Paul Bouraxis
- I. Commissioner Knueppel moved and Commissioner Ziegenhagen seconded to table any action on the project until such time as the Commission could review a site plan for the entire Planned Development District, showing the relationship of all the projects, presentation of elevations & 4-sided drawings for the proposed restaurant and retail buildings. Upon voice vote, all voted 'aye'. Motion carried.
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MONUMENT SIGN
Carstensen
Construction
Wyndham Ridge
Subdivision

J. Commissioner Ritter moved and Commissioner Ziegenhagen seconded a motion to approve the monument sign request by Carstensen Construction for Wyndham Ridge Residential Subdivision. Upon voice vote, all voted 'aye'. Motion carried.

SPECIAL USE
AMENDMENT
Basil Ryan

K. (Before discussion of this issue Commissioner Skowronski recused himself because of involvement in a lawsuit with the applicant.) Commissioner Knueppel moved and Commissioner Ziegenhagen seconded a motion to recommend approval of a special use amendment for Basil Ryan for 10791 S 27th Street, to add a body shop, to Common Council subject to meeting all conditions as outlined by the Plan Commission in the presented resolution and contingent on approval of said resolution as to form by the City Attorney. Upon voice vote, Commissioners Knueppel & Ziegenhagen voted 'aye'; Commissioner Ritter voted 'no.' Motion carried 2 - 1. Because Plan Commission rules require 4 'aye' votes to send a recommendation to Common Council the request will be sent without recommendation.

MINOR CHANGE
TO SITE PLAN
St. Martin of Tours
Congregation

L. (Commissioner Skowronski took his seat again.) Commissioner Ritter moved and Commissioner Skowronski seconded a motion to recommend approval of a minor site plan change for St. Martin of Tours Congregation, 7933 - 7963 S 27th Street as presented in the site plan included in the Commissioners' packets, to Common Council subject to meeting all conditions as outlined by the Plan Commission in the presented resolution and contingent on approval of said resolution as to form by the City Attorney. Upon voice vote, all voted 'aye'. Motion carried

TEMPORARY USE
John O'Malley

M. Commissioner Skowronski moved and Commissioner Knueppel seconded a motion to recommend approval to the Board of Zoning and Building Appeals of a temporary use for John O'Malley to allow nonprofit groups to sell pumpkins on his land at 7521 W Ryan Road on the weekends until Halloween. Upon voice vote, all voted 'aye'. Motion carried

FEES: PLANNING
APPLICATIONS

N. Commissioner Skowronski moved and Commissioner Ziegenhagen seconded a motion to direct staff to return with the proposed changes in fees for planning applications, having researched comparable fees from other communities for comparison. Upon voice vote, all voted 'aye'. Motion carried.

NEXT SCHEDULED
PLAN
COMMISSION

O. No action needed; no action taken.

ADJOURNMENT

V. Commissioner Skowronski moved and Commissioner Ritter seconded a motion to adjourn the October 09, 2003, regular Plan Commission meeting. Upon voice vote, all voted 'aye'. Motion carried. Meeting was adjourned at 9:43 p.m.